

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**D'ANGELO LEE KOMANEKIN,
Plaintiff,**

v.

Case No. 05-C-0924

**STATE OF WISCONSIN, and
WARDEN OF GREEN BAY CORRECTIONAL INSTITUTION,
Defendants.**

AMENDED ORDER

Plaintiff D'Angelo Lee Komanekin, who is incarcerated at Green Bay Correctional Institution, filed a pro se civil rights complaint pursuant to 42 U.S.C. § 1983. On January 13, 2006, I dismissed this case for failing to state a claim upon which relief may be granted under 28 U.S.C. § 1915A(b)(1). However, plaintiff is still required to pay the statutory filing fee of \$250 for this action. 28 U.S.C. § 1915(b)(1). He has been assessed and paid an initial partial filing fee of \$2.50.¹ See id. Thus, plaintiff's remaining balance is \$247.50, and not \$225.50, as stated in this court's prior order.

IT IS THEREFORE ORDERED that the Secretary of the Wisconsin Department of Corrections or his designee shall collect from the plaintiff's prison trust account the \$247.50 balance of the filing fee by collecting monthly payments from the plaintiff's prison trust account in an amount equal to 20 percent of the preceding month's income credited to the prisoner's trust account and forwarding payments to the clerk of court each time the amount in the account exceeds \$10 in accordance with 28 U.S.C. § 1915(b)(2). The payments shall

¹The plaintiff was assessed an initial partial filing fee of \$2.46. However, on September 29, 2005, he submitted \$2.50 to the Clerk of Court.

be clearly identified by the case number and number assigned to this action.

Dated at Milwaukee, Wisconsin, this 25 day of January, 2006.

/s _____
LYNN ADELMAN
District Judge